

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN M. HAYES, BRIAN M. HAYES II,  
and BRIAN M. HAYES & ASSOCIATES,  
INC.

Plaintiffs,

v.

OHIO NATIONAL FINANCIAL  
SERVICES, INC., and THE O.N. EQUITY  
SALES COMPANY,

Defendants

CIVIL ACTION

No. 08-3743

**ORDER**

**AND NOW**, this 12 day of August , 2009, it is hereby **ORDERED** that:

1. Plaintiffs' request for relief is **DENIED**.
2. Defendants' request for permanent injunctive relief is **GRANTED IN PART**. Plaintiffs are (1) directed to turn over the consumer records of all clients of the Agency who own Ohio National insurance policies, and (2) enjoined from using those policyholder records, or the information contained therein, in any capacity.
3. Defendants' request for permanent injunctive relief is **DENIED IN PART**. Plaintiffs are not specifically enjoined from replacing the Agency's clients' insurance policies, provided that, in doing so, plaintiffs make no use of policyholder information that this court has ordered plaintiffs to turn over to defendants.
4. Defendants' motion to vacate the preliminary injunction (Docket No. 3) and motion for a temporary restraining order (Docket No. 4) are hereby **DISMISSED AS MOOT**.

/s/ Louis H. Pollak  
Pollak, J.